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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.22 OF 2005
IN
SUIT NO.48 OF 2005

Dharmendra Kumar Goyal)..Plaintiff

Versus

Bipinchandra C. Patel and others)..Defendants

Mr.Rajiv Narula i/b.M/s.Jhangiani Narula & Associates for the Plaintiff.

Mr.Vasantkumar G. Mehta for Defendant Nos.1 to 6.

Mr.Pankaj S. Shah for Defendant No.7 in person.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 14TH JUNE 2006

P.C.:

. By this Motion, the Plaintiff is seeking an injunction against the Defendants restraining them from publishing, repeating and/or reproducing any of the defamatory statements contained in the notice dated 5th November 2004 in the newspaper "Janmabhoomi" and dated 6th November 2004 in the newspaper "Mumbai Samachar".

2. Heard Advocates.

3. Without considering whether the aforesaid statements are defamatory or not and without prejudice to the rights and contentions of the parties, the Notice

of Motion can be disposed off by the following order :-

(i) The Defendants will not repeat or publish or reproduce the statements made in the public notice at Exhibits "P" and "Q" to the Plaint.

(ii) The parties will ensure that the order dated 7th February 2006 passed by Justice Vazifdar is implemented.

(iii) The Officer deputed by the Prothonotary & Senior Master pursuant to the order dated 7th February 2006 to ensure that the draft agreement is prepared and parties execute the same within four weeks from today.

(iv) In the event, there is no compliance of the order dated 7th February 2006, either because of the parties or for any other reason, the Officer to submit a report to that effect to this Court.

(v) Parties are at liberty to move the Court thereafter, if necessary.

4. Notice of Motion disposed of accordingly.